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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,977	07/29/2005	Rowan Dallimore	034369-005	5013

21839 7590 02/16/2006

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EXAMINER
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AGRAWAL, CHRISTOPHER K

ART UNIT	PAPER NUMBER
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3726

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/525,977	<b>Applicant(s)</b> DALLIMORE, ROWAN	
	<b>Examiner</b> Christopher K. Agrawal	<b>Art Unit</b> 3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/28/05; 7/29/05</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Bechler (U.S. Patent No. 5,029,761).**

3. *Claim 1:* Bechler teaches a tip holder for mounting at an outflow opening of a rotor of a vertical shaft impact crusher **10**, said rotor comprising a vertical rotor wall segment **94** having a first wall portion **98** being substantially tangential in relation to the rotor and a second wall portion **102** being angled in relation to said first wall portion, said tip holder comprising: a holding part **109** for holding a wear tip **114**, a fastening means **111** attached to the holding part, the fastening means being adapted to extend along said first wall portion **98** and through said second wall portion **102** from one side thereof, and a fixing means **110** detachably fixable to the fastening means at the other side of said second wall portion.

4. *Claim 2:* Bechler also teaches a tip holder according to claim 1, wherein the fastening means **111** extends along the radially inner side of said first wall portion **98** (see Fig. 3).

5. *Claim 3:* Bechler also teaches a tip holder according to claim 1 wherein the tip holder **109** comprises a securing means (see hook portion adjacent to tip **114** and

**gripping edge of wall 98)** for removably securing the tip holder to a free vertical edge of said first wall portion **98**.

6. Claim 4: Bechler also teaches a tip holder according to claim 3 wherein said securing means comprises a hook (**see hook portion adjacent to tip 114 and gripping edge of wall 98**) adapted for gripping said edge of said first wall portion **98**.

7. Claims 5-6: As shown in figure 4, the fastening means **111** is "adapted to" hold a horizontal wear plate. For example, a washer could be considered a "wear plate".

8. Claim 7: Bechler also teaches a tip holder according to claim 1 wherein the fastening means comprises a threaded bar **111** intended for extending along said first wall portion **98** and through a hole in said second wall portion **102**.

9. Claim 8: Bechler also teaches a tip holder according to claim 7 wherein the fixing means **110** comprises a nut which is adapted to provide a tensile stress in the threaded bar when fixing said fixing means to the threaded bar at said other side of the second wall portion.

10. Claim 9: Bechler also teaches a tip holder according to claim 1 wherein the fastening means **111** comprises a surface adapted for the application of a force in a direction parallel to said first wall portion.

11. Examiner notes that it is inherent that fastening means **111** comprises a surface adapted for the application of a force in a direction parallel to the first wall portion.

12. Claim 10: Bechler teaches a method of mounting a tip holder to an outflow opening of a rotor of a vertical shaft impact crusher **10** said rotor comprising a vertical rotor wall segment **94** having a first wall portion **98** being substantially tangential in

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relation to the rotor and a second wall portion **102** being angled in relation to said first wall portion and said tip holder comprising a holding part **109** for holding a wear tip **114** said method comprising: guiding the tip holder along said first wall portion **98** such that a fastening means attached to the holding part extends along said first wall portion and passes through said second wall portion **102** from one side thereof (**see Fig. 3**) and fixing a fixing means **110** to the fastening means **111** at the other side of said second wall portion **102**.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,752,665 teaches a grinding mill liner adapter.

U.S. Patent No. 4,586,633 teaches a tip assembly for rotary mineral breakers.

U.S. Patent No. 5,323,974 teaches a vertical shaft impact crusher.

U.S. Patent No. 6,070,820 teaches a table reinforcing ring for a vertical shaft impact crusher.

G.B. Patent No. 2,198,060 teaches an impact mill for crushing hard material.

EP Patent No. 187,252 teaches an impact pulverizer for the size reduction of rock or the like.

DE Patent No. 3714435 teaches a configuration for the housing walls of comminuting machines.


U.S. Patent No. 4,896,838 teaches a rotor for vertical shaft impact crushers.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher K. Agrawal whose telephone number is (571) 272-3578. The examiner can normally be reached on Mon-Fri 8:30AM-5:00PM.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Jimenez can be reached on (571)272-4530. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CKA

  
MARC JIMENEZ  
PRIMARY EXAMINER  
2-14-06